

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RAUL SANTIAGO,

Petitioner,

v.

CASE NO. 2:05-cv-560

PATRICK HURLEY, Warden,

**JUDGE SARGUS
MAGISTRATE JUDGE KEMP**

Respondent.

OPINION AND ORDER

On January 6, 2006, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed as untimely. Petitioner has objected to the Magistrate Judge's *Report and Recommendation*. However, the arguments made by petitioner do not appear related to this case. Petitioner objects to the Magistrate Judge's conclusion that his claims are procedurally defaulted, although the Magistrate Judge did not recommend dismissal of petitioner's claims as waived, and raises issues regarding claims that do not appear to have been presented in the instant habeas corpus petition. *See Objections*, Doc. No. 14.

Pursuant to 28 U.S.C. 636(b)(1), this Court has conducted a *de novo* review of those portions of the *Report and Recommendation* objected to by petitioner. For the reasons discussed in the Magistrate Judge's *Report and Recommendation*, petitioner's objections are **OVERRULED** The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.


3-23-2006
EDMUND A. SARGUS, JR.
United States District Judge